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ord. organisms of malaria, sleeping sickness, Chagas' disease,
toxoplasmosis, amoebic dysentery, leishmaniasis, trichomoniasis,
pneumocystosis, balantidiasis, cryptosporidiosis, sarcocytosis,
acanthamoebosis, naeglerosis, coccidiosis, giardiasis and
lambliasis.--

REMARKS

A reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks.

This will make of record a Telephone Interview on April 24, 2002, between the Patent Examiner K.A. Saeed, and the undersigned attorney. As stated in the Interview Summary dated April 24, 2002, the rejection of claims 1 to 3 and 5 has been withdrawn, because these claims were canceled by the Preliminary Amendment filed May 25, 2001.

The Applicant comments as follows on the formal rejection under 35 U.S.C. 112.

The expressions "acyl residue", "ester residue" and "heterocyclic residue" were rejected as being indefinite. This

term "residue" has been replaced with "group" in all occurrences, as suggested by the Patent Examiner.

The term "in particular", "preferably", "such as" and "particularly" were objected to. In response thereto the expressions "particularly", "in particular", "such as" and "preferably" were deleted in all occurrences so as to overcome this rejection. The expression "esters thereof", and "salts of the esters" allegedly render claim 14 indefinite because it is not clear what are these esters and how they are attached to the molecule. In response thereto, it is pointed out that they are attached by well known chemical or physical reactions. They are all stated to be "pharmaceutically acceptable" salts, esters, and salts of the esters, which is well known in the art.

Claims 22 to 26 were rejected as being "Use" claims under 35 U.S.C. 112, and 35 U.S.C. 101. These claims have now been canceled and replaced by claim 35 directed to a pharmaceutical preparation, and by claims 36 to 40 directed to a therapeutic method for the prevention and treatment of infectious processes, in humans, animals and plants.



For all these reasons, it is firmly believed that all the claims are now in complete compliance with the requirements of 35 U.S.C. 101, and 35 U.S.C. 112. Withdrawal of these grounds of rejection is respectfully requested.

Also enclosed is a Supplemental Information Disclosure Statement listing four prior art documents received with an Official Action in the parallel German Patent application, in which the following documents have been cited:

- 1) US 4,693,742 A
- 2) JP 61106504
- 3) EP 0 009 686 A1
- 4) DE 2 733 658 A1.

Enclosed is PTO Form 1449 and one cited document, along with a check for \$180.00 to pay the U.S.P.T.O. fee for the filing of these documents at this stage of the prosecution. The Commissioner of Patents and Trademarks is authorized to charge any additional fee, or to credit any overpayment to Deposit Account No. 03-2468.




In view of the above amendments, reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,

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ERF/mt

Enclosure: (1) U.S.P.T.O. Form 1449;
(2) Copy of one prior art document;
(3) Check for \$180.00;
(4) Supplemental IDS.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, on June 12, 2002.


Lisa L. Vulpis

